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Docket No. 1081.1111

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INTRODUCTION:

In accordance with the foregoing, claims 9, 11 and 16 have been amended, claim 3 has been canceled without prejudice or disclaimer, and new claims 22-26 have been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 9, 11, 16 and 22-26 are pending and under consideration. Reconsideration is respectfully requested.

COMMENTS RE RESPONSE TO ARGUMENTS:

In the Office Action, at pages 2-3, numbered paragraph 5, the Examiner submitted his comments with respect to the RCE filed on August 7, 2006, which requested that the amendment previously filed on July 10, 2006 be considered.

In response to the present Office Action, independent claims 9, 11 and 16 have been amended, claim 3 has been canceled without prejudice or disclaimer, and new claims 22-26 have been added. It is respectfully submitted that said amendments overcome the rejections stated in the Office Action (see below).

REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at pages 3-6, numbered paragraph 7, claims 3, 9, 11 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Smith et al. (USPN 6,487,540 B1; hereafter, Smith) in view of Komai (USPN 6,625,579 B1; hereafter, Komai), and further in view of Applicant's own admissions. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claim 3 has been canceled without prejudice or disclaimer.

It is respectfully submitted that the Examiner relies on Smith and states that the other features of the present invention not disclosed by Smith are obvious in view of WAP, Komai, and AAPA. In rebuttal thereof, Applicants submit the following arguments.

At col. 2, lines 11-20, Smith discloses a **general explanation of Wireless Application Protocol (WAP) for mobile wireless communication**. At col. 3, lines 19-26, Smith discloses contents of an electronic receipt including purchase transaction information. At col. 3, lines 31-36 and 45-55, Smith discloses that a **vendor device at a point-o-sale generates an electronic receipt and transmits to a purchaser device by employing WVD and WPD, and the**

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purchase device takes a form of PDA, a wireless phone. At col. 5, lines 47-51, Smith discloses that short range communication device 24 is connected to a vendor device 22 such as an electronic cash register, an electronic vending machine, a bar-code reader which may transmit and receive product and transaction information and transmit electronic receipt information.

While Smith may disclose sending an electronic receipt including settlement information from a vendor device, such as POS to a PDA by employing WAP when a transaction is executed, Smith fails to disclose triggering sending of an electronic receipt by using normal keys of POS and PDA such as a settlement key, a receipt issue key or a receive key of PDA.

Thus, while the Examiner states that the above features are taught by Komai and a normal POS transaction, Komai fails to teach or suggest such features in response to a prompt of a settlement key of the store settlement device, as is provided in the present invention.

For clarification, the terminology "the mobile terminal temporarily stores the goods purchase information in a memory" has been added to claims 9, 11 and 16. These amendments are supported by, for example, page 4, lines 9-14 of the specification.

As admitted by the Examiner, Smith does not specifically disclose a settlement key or a receipt issue key. It is respectfully submitted that Komai does not teach or suggest a goods purchase information processing method using a store settlement device wherein sending of the goods purchase information comprises, at least in part, temporarily storing the goods purchase information in a memory of the mobile terminal, and transferring the goods purchase information from the memory of the mobile terminal into a household budget system of a home computer, as is described in amended independent claims 9, 11 and 16 of the present invention. The use of Wireless Application Protocol (WAP) and Applicants' background material also do not teach or suggest same.

Hence, it is respectfully submitted that Smith, Komai, Applicants' background material and/or WAP, alone or in combination, do not teach or suggest amended independent claims 9, 11 and 16 of the present invention. Thus, it is respectfully submitted that amended independent claims 9, 11 and 16 are patentable under 35 U.S.C. §103(a) over Smith et al. (USPN 6,487,540 B1) in view of Komai (USPN 6,625,579 B1), and further in view of Applicant's own admissions.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at page 6, numbered paragraph 9, claims 3, 9, 11 and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by Swartz et al. (US 2003/0132298 A1;

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hereafter, Swartz). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claim 3 has been canceled without prejudice or disclaimer.

It is respectfully submitted that Swartz discloses, for example, as stated in claim 1:

An interactive consumer marketing system comprising: a) a wireless data collecting device for use by a customer at home or within a shopping establishment, said wireless data collecting device including a scanner for reading identification codes on products of interest and a memory for storing a product list; b) a comprehensive database for storing information relating to products available for purchase within the shopping establishment; and c) an intermediate consumer presentation device, comprising i) a communications link for communicating with the wireless data collecting device and the comprehensive database; ii) a data aggregator for correlating the products on the product list and the information stored in the comprehensive database; iii) a display for presenting to the consumer an enhanced presentation of products on the product list and information stored in the comprehensive database. (Emphasis added)

Hence, Swartz discloses that, in an interactive consumer marketing system, the wireless data collecting device includes a scanner. In contrast, the present invention utilizes a mobile terminal that does not include a scanner. In the present invention, as stated in line 5, page 7 through line 4 of page 8, recited below for the convenience of the Examiner, a scanner is connected to a POS register:

FIG. 1 is a schematic view of a goods purchase information system in an aspect of the embodiment of the present invention. As shown in FIG. 1, the store (for example, supermarket or convenience store) 300 that sells the product (good or service) is equipped with a scanner 3 for reading the bar codes of the products 7, and a POS register (sale terminal) 2 that is connected to the scanner 3 and that processes the settlement. (emphasis added)

On the other hand, a personal computer 4 onto which accounting software 40 is loaded is provided in a home or office 400. The user 8 has a mobile terminal 1. A suitable mobile terminal 1 is one of a size and weight that is easily carried by the user 8, for example, a personal digital assistant (PDA), or is a mobile telephone.

The method by which this system is used will be explained. Firstly, the user 8 carries the mobile terminal 1 and goes to the store 300 to purchase products. At the store 300, the user 8 fetches the desired products 7 and takes them to the store 300 register for settlement. At the register, the operator 6 uses the scanner 3 to read the bar codes of the products 7 and enter the product bar codes in the POS register 2. When needed, a product code is entered using the numeric keypad on the scanner 3.

Hence, it is respectfully submitted that amended independent claims 9, 11 and 16 of the present invention are not anticipated under 35 U.S.C. §102(b) by Swartz et al. (US 2003/0132298 A1).

NEW CLAIMS:

New claim 22 recites that the features of the present invention include the goods

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purchase information processing system according to claim 9, wherein said mobile terminal transfers the goods purchase information from the memory into a household budget system of said processing device of said user. Nothing in the prior art teaches or suggests such. It is submitted that this new claim distinguishes over the prior art.

New claim 23 recites that the features of the present invention include the goods purchase information processing system according to claim 11, wherein said mobile terminal transfers the goods purchase information from the memory into a household budget system of said processing device of said user. Nothing in the prior art teaches or suggests such. It is submitted that this new claim distinguishes over the prior art.

New claim 24 recites that the features of the present invention include the goods purchase information processing system according to claim 16, wherein said mobile terminal transfers the goods purchase information from the memory into a household budget system of said processing device of said user. Nothing in the prior art teaches or suggests such. It is submitted that this new claim distinguishes over the prior art.

New claim 25 recites that the features of the present invention include a goods purchase information processing system in a store, comprising: a mobile terminal having a first communication unit, a controller and a memory; a reader reading goods information for goods purchased by a user of said mobile terminal; and a register terminal comprises: a second communication unit for communicating with said mobile terminal; a third communication unit for communicating with said reader; and a controller calculating goods settlement information from said read goods information and processing the settlement in response to a prompt from a settlement key in accordance with authorization of said user, wherein said register terminal sends said goods settlement information to said mobile terminal in response to a prompt from the settlement key of said goods settlement information, the mobile terminal temporarily stores the goods purchase information in said memory. Nothing in the prior art teaches or suggests such. It is submitted that this new claim distinguishes over the prior art.

New claim 26 recites that the features of the present invention include a goods purchase information processing system, comprising: a mobile terminal having a first communication unit, a controller and a memory; a reader reading the goods information for the goods purchased by said user; and a register terminal provided separately to said reader and calculating the goods settlement information from said read goods information and processing the settlement, wherein said reader sends a send enable signal to said mobile terminal when said reader reads a barcode of said goods, receives a receive signal from said mobile terminal according to said send enable signal, requests said goods purchase information to said register terminal in response to said received request, receives said goods purchase information from said register terminal, and sends said received goods purchase information to said mobile terminal, and the

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mobile terminal temporarily stores the goods purchase information in a memory. Nothing in the prior art teaches or suggests such. It is submitted that this new claim distinguishes over the prior art.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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on February 20, 2007

STAAS & HALSEY

By: Darleen J. StockleyDate: February 20, 2007